

ORIGINAL

2/8/03

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
(Harrisburg Division)

UNITED STATES FIDELITY AND
GUARANTY COMPANY,

Plaintiff

v.

BRUCE J. BROWN and BROWN
SCHULTZ SHERIDAN & FRITZ,

Defendants.

CIVIL ACTION NO. 1:01-CV-00813

JUDGE CONNER

FILED
HARRISBURG, PA

APR 29 2003

MARY E. D'ANDREA, CLERK
Deputy Clerk

**JOINT MOTION FOR A MODIFICATION
OF SCHEDULING ORDER DATED APRIL 15, 2003**

Plaintiff, United States Fidelity and Guaranty Company ("USF&G") and Defendants, Bruce J. Brown and Brown Schultz Sheridan & Fritz (collectively, "Brown Schultz") hereby jointly request that the Court modify the Order dated April 15, 2003 (the "Order") to extend deadlines for the following: deadline for motions in limine and final pretrial memoranda; final pretrial conference; and trial. A copy of the Order dated April 15, 2003 is attached hereto as Exhibit "A."

In support of this Motion, USF&G and Brown Schultz aver and assert as follows:

1. Counsel for USF&G, Peter B. McGlynn, is scheduled to commence a trial in the United States District Court for the District of Massachusetts on July 15, 2003. The trial date for

that case was established prior to the issuance of the Order on April 15, 2003. In that the trial is expected to last 3 to 5 days, he will be unable to attend the final pretrial conference scheduled for July 17, 2003 and, possibly, may not be finished with that trial prior to the scheduled commencement of trial in the above-captioned action.

2. Counsel for USF&G and counsel for Brown Schultz have attempted to determine the earliest possible date for the commencement of the trial in the instant case that would not conflict with prior engagements of counsel for either party. In that the parties have various engagements scheduled in August and counsel for Brown Schultz commences a 3-4 week trial on September 15, 2003, the parties aver that the earliest date all counsel are available for commencement of trial is October 13, 2003.


3. The parties suggest that the current case management deadlines be amended as follows:

	<u>Current Deadline</u>	<u>Requested Extension</u>
Motions in Limine and related Pretrial Memoranda	July 9, 2003	September 26, 2003
Final Pretrial Conference	July 17, 2003	October 9, 2003
Trial	July 21, 2003	October 13, 2003 ¹

¹ Counsel for USF&G has a trial in Massachusetts state court commencing on November 3, 2003. The trial is expected to last 2-3 weeks. Accordingly, if the Court is unable to accommodate the commencement of trial on or about October 13, 2003, it would be appreciated if trial could be scheduled to commence subsequent to December 1, 2003.

WHEREFORE, the parties jointly request that the court enter an order extending the deadlines as set forth above.

Respectfully submitted,
UNITED STATES FIDELITY AND
GUARANTY COMPANY,
By its counsel,

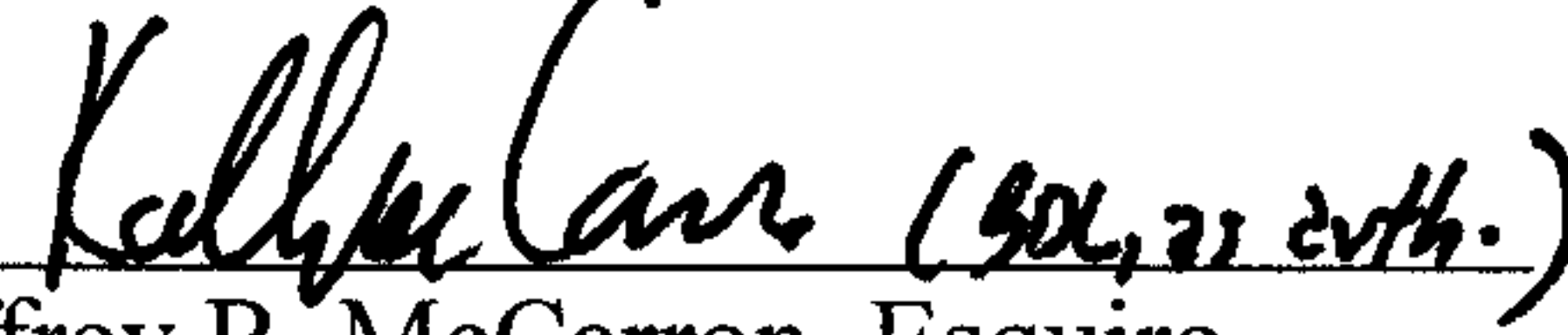

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and

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Dated: April 28, 2003
#267934 v1/36432/87

BROWN SCHULTZ SHERIDAN & FRITZ
and
BRUCE J. BROWN,
By their counsel,


Jeffrey B. McCarron, Esquire
Kathleen M. Carson, Esquire
Swartz Campbell Detweiler
1601 Market Street
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Telephone: (215) 299-4272

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon (each party appearing pro se and) the attorney of record for each other party by mail (by hand) 4/28/03.



EXHIBIT A

Levin, Bruce

From: PAMDEfilingstat@pamd.uscourts.gov

Sent: Tuesday, April 15, 2003 4:28 PM

Subject: Activity in Case 1:01-cv-00813-CCC United States Fid. v. Brown, et al "Terminate Scheduling Order Deadlines"

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U.S. District Court

Middle District of Pennsylvania

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Case Name: United States Fid. v. Brown, et al

Case Number: 1:01-cv-813

Filer:

Document Number: 92

Docket Text:

SCHEDULING ORDER: Trial is rescheduled from June 2003 to July 2003 & attendant pretrial matters rescheduled too. Pretrial Conference rescheduled from 6/19/03 to Thursday, 7/17/2003 @ 11:00 AM; Non-jury trial rescheduled from 6/23/03 to Monday, 7/21/2003 @ 09:30 AM; Motions in limine & Pretrial Memos due by noon on Wednesday, 7/9/2003. Signed by Judge Christopher C. Conner on 04/15/03. (ki)

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1027698419 [Date=4/15/2003] [FileNumber=145845-0]
[3382af841b394ccee022734f3b49dea8e17528111e3bcd6312f2344733fd01338194
dbff607608ff50ea9f6b6a7bf788dc8a5c7ff41abeb64846a7dcb5c795dd]]

1:01-cv-813 Notice will be electronically mailed to:

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1:01-cv-813 Notice will not be electronically mailed to:

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Swartz, Campbell & Detweiler

4/15/2003

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4/15/2003